

109TH CONGRESS  
2D SESSION

# H. R. 5231

To limit Federal court jurisdiction over certain suits pertaining to the application of a price threshold in determining the volume for which suspension of royalties applies to certain offshore oil and gas leases.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2006

Mr. ISSA (for himself, Mr. TOM DAVIS of Virginia, Mr. HUNTER, Mr. SOUDER, Mr. CALVERT, Mrs. BONO, and Mr. KELLER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To limit Federal court jurisdiction over certain suits pertaining to the application of a price threshold in determining the volume for which suspension of royalties applies to certain offshore oil and gas leases.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Deep Water Royalty  
5 Jurisdiction Act”.

1 **SEC. 2. LIMITATION ON FEDERAL COURT JURISDICTION**  
2 **OVER QUESTIONS PERTAINING TO ROYAL-**  
3 **TIES UNDER CERTAIN OFFSHORE OIL AND**  
4 **GAS LEASES.**

5 (a) **LIMITATION ON CERTAIN JURISDICTION.**—In any  
6 case brought by any person other than a department,  
7 agency, or instrumentality of the United States, no court  
8 created by Act of Congress shall have any jurisdiction, and  
9 the Supreme Court shall have no appellate jurisdiction, to  
10 hear or decide any question pertaining to—

11 (1) the application of a price threshold in deter-  
12 mining the volume for which suspension of royalties  
13 applies under section 8(a)(1)(H) of the Outer Conti-  
14 nental Shelf Lands Act (43 U.S.C. 1337(a)(1)(H))  
15 and section 304 of Public Law 104–58 (43 U.S.C.  
16 1337 note) with respect to leases awarded in the 5-  
17 year period beginning on November 28, 1995; or

18 (2) the interpretation of, or the validity under  
19 the Constitution of, this section.

20 (b) **CERTAIN DEFENSES NOT AVAILABLE.**—In any  
21 case brought by a department, agency, or instrumentality  
22 of the United States against any person to recover royal-  
23 ties under the Outer Continental Shelf Lands Act, no legal  
24 or equitable defense shall be available to the defendant re-

- 1 regarding the matters referred to in paragraph (1) or (2)
- 2 of subsection (a).

